



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

February 11, 2005

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Nicholas N. Sears  
55 Montclair Dr., NE  
Atlanta, GA 30309

05-R-0164

Dear Mr. Sears:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 07, 2005. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

RCS# 6440  
2/07/05  
2:34 PM

Atlanta City Council

## Regular Session

CONSENT I                CONSENT I PG(S) 3-16 EXCEPT 05-R-0109  
  05-R-0126  
  ADOPT

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

CONSENT I

ADVERSE BY  
CITY COUNCIL  
FEB 07 2005

Entered - 10/01/04 - sb  
CL04L0652 - DIANNE C. MITCHELL


05-R -0164

CLAIM OF: **NICHOLAS N. SEARS**  
**55 Montclair Drive, NE**  
**Atlanta, Georgia 30309**

For damages alleged to have been sustained as a result of  
vehicular damage due to a tree fallen on September 16,  
2004 at 55 Montclair Drive, NE.

THIS ADVERSED REPORT IS APPROVED

BY:

  
**JERRY L. DELOACH**  
**DEPUTY CITY ATTORNEY**

## ADVERSE REPORT

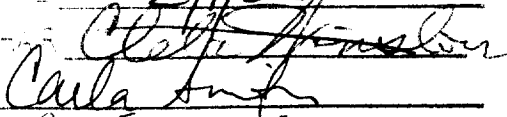
PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE

2/1/05

BY

  
Carla Smith

  
C. T. Monte

  
Mary Jones

  
Joyce M. Shepard

FEB 07 2005

FEB 07 2005

FILED